

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HERBERT STURDIVANT, JR.,)	
)	
Plaintiff,)	
)	
v.)	1:09cv468
)	
CITY OF SALISBURY,)	
NORTH CAROLINA,)	
)	
Defendant.)	

The recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. §636(b) and, on January 10, 2011, was served on the parties. Plaintiff timely filed objections to the recommendation (Doc. 36).

The Court has reviewed the portions of the Magistrate Judge's Report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendant's Motion for Summary Judgment (Doc. 18) is GRANTED and that this action be DISMISSED. A Judgment in accordance with this Order shall be entered contemporaneously.

This 1st day of March, 2011.



United States District Judge